

**GAE Committee**  
**Public Hearing February 14, 2011**  
**Testimony**

- Good morning to our committee chairs Representative Morin and Senator Slossberg, Ranking Members and members of the Committee. My name is Denise Merrill, and I am the Secretary of the State of Connecticut.
- Thank you for inviting me to testify about several important bills in front of your committee that I feel very strongly will both strengthen the integrity of our elections and also move us towards the overall goal of making voting easier and more convenient.
- The statute defining the Office of the Secretary of the State defines my position as that of “Chief Elections Officer” of the state and lists among my duties that I shall “ensure open and fair elections in the state” (CHECK EXACT LANGUAGE HERE) . I take that charge very seriously, and am here today because I believe that some changes must be made in order for me to effectively carry out that charge.
- Today I propose some immediate actions to help local officials provide our citizens with the highest possible confidence that their vote will always be counted and counted properly.
- I know you are all aware of the problems we had in Bridgeport during the November elections, so I won’t skirt it. They ran out of ballots.

- Indeed, several other towns ran out of ballots during that election. We know only from anecdote how many and how they handled it. Towns are not required to inform us about details of elections.
- I am not here to place blame. Registrars and Town Clerks are the front line in delivering the most important function of government, and they do heroic work for long hours under sometimes difficult circumstances. Our office does its best to offer guidance and assistance with little authority to compel compliance. Money for this and other governmental action, is always in short supply.
- But the faith of the people in our voting process is imperative. And the real tragedy of that day was the fact that hundreds, maybe thousands of voters waited in line for hours and then were turned away from the polls. THAT CAN NEVER HAPPEN AGAIN.
- Before I get specific I just want to add that I just came back from four days in Washington DC meeting with my colleagues, other Secretaries of State throughout the country.
- It is a very exciting time and technology is improving the way we register to vote, cast ballots, and count votes. I included just one example attached to my testimony from what another state is doing to address similar issues, using new technology to streamline their voting system.
- Let me start with SB 942, and Act Concerning the Integrity of our Elections.

## **ELECTION INTEGRITY BILL:**

- There are five sections to this bill.

- First, it would allow the Secretary of the State's Office to adopt regulations to improve and enhance training of moderators used at the polls. Up to date training is a key component to competent elections.
- Second, it requires each municipality to adopt an emergency contingency plan for election day. Such plan should consider issues related to poll workers, ballot shortages, machine malfunctions, power outages and natural disasters. My office would develop a model plan for towns to implement. While every contingency can't be addressed, or even imagined, I believe that a plan will provide certainty for local officials in managing unexpected events.
- Third, it would expand modestly the authority of the Secretary of the state to monitor election day procedures: allowing representatives from the Secretary of the State's Office to enter polling locations to ensure compliance with our election statutes; requiring municipalities to report lists of polling locations and moderators to the Secretary of the State's Office before each election; and giving the Secretary of the State the authority to remove a moderator in extreme situations (gross malfeasance, for example) on election day.
- The Fifth Section of this bill directly addresses the issue of how many ballots are ordered for our elections. This is entirely a local decision and we are not proposing to change that.
- However, we are proposing that every city and town certify to the office of the Secretary of the State how many ballots they are ordering, and that they have considered factors such as analogous previous analogous elections, the impact of a tight race or high profile appearances, etc.

- It would also allow the Secretary of the State, in rare cases, to direct towns and cities to order more ballots printed if the determination is made that they did not order enough for an upcoming election.
- If municipalities fail to report how many ballots they order to the Secretary of the State's office, they would be required to order enough ballots to cover 100% of their registered voters.
- The bottom line here is that as the Chief Elections office in the State of Connecticut, the Secretary of the State's office needs more information about how towns and cities are preparing for elections, we all need consistent standards and reporting.
- I am also working on different ways we can reduce the cost of printing ballots – such as the Secretary of the State's office procuring the ballots on the statewide level.
- Cost is a real issue for towns, and nothing to be taken lightly.
- But we must always remember that this is the foundation of our democracy, our entire way of life in this country. As public officials, we can deliver no more important message than that of complete faith in the highest standards of our election process. Moving on to other legislation, we are also proposing a constitutional amendment to open up the process of early voting in Connecticut.

## HJR 88

Would Amend the State Constitution to remove the current barriers in the Connecticut Constitution that allow voting by absentee ballot for only specified reasons.

- Removal of these barriers would allow the General Assembly to consider additional types of voting such as no excuse absentee balloting or early voting.
- This takes the first step towards moving CT into the 21<sup>st</sup> century by make voting more convenient. Voting should be encouraged and made as easy as possible for the voters.
- The 35 states that have implemented early voting or no excuse ABs see both higher turnout and less pressure on Election Day, helpful to local Registrars and Clerks.
- There are several other proposals for similar constitutional amendments. I believe, however, that House Joint Resolution 88 is the most comprehensive approach.
- This gives the General Assembly the tools to enact whatever type of early voting or absentee ballot reform it feels is best, in consultation with local election officials and looking at best practices from other states.

#### **TECH BILL/LEVER BILL:**

- Moving onto some other technical legislation, I urge passage of both Raised bills 6330 and 938
- Raised bill 938 simply removes any references in our state election statutes to the old lever voting machines, those have not been used in Connecticut since 2006.
- This measure has been in front of this committee several times in the past. Failure to bring our statutes in line with the federally required changes in HAVA (Help America Vote Act) and other changes leaves the state at risk of legal challenge.

- Raised Bill 6330 is simply a version of our technical bill that has also been voted favorably from this committee several times in the past few years.
- It includes technical changes to our state's election laws that will streamline our election systems and bring them up to date with our new way of voting since the lever ballot machines were eliminated.
- There are several other technical bills concerning election laws in front of this committee but again we feel that the two bills we favor represent the most comprehensive and common-sense approach

#### **DISABLED VOTING IMPROVEMENTS:**

- I also want to testify in support of Committee Bill 5978.
- This would allow a person to obtain permanent absentee ballot status if they submit a doctor's certification along with absentee ballot application.
- They would remain on permanent list until they are no longer a voter, they are removed from the list because they do not respond to a yearly notice sent by the registrars to inquire about their status or the voter requests to be removed from the list.
- I support this bill because it will make it easier for people with chronic illnesses or disabilities to vote.
- The Absentee Ballot should never be a barrier to voting for those who face physical hardship getting to their polling place.

#### **CHANGES TO AUDIT PROCESS:**

- Raised Bill 940 contains some interesting ideas about how to modernize and improve our post election audit process.
- in general I support the concepts contained within it, and I would be happy to work with the committee to perhaps establish some kind of demonstration or pilot program to phase in some of these ideas, as we did with the optical scan voting technology.
- In general I am very supportive of the concept of scanning ballots post-election by machine, maybe even setting up regional centers to do this.
- This would reduce the discrepancy in hand counts we see in the post election audit reports compiled by the University of Connecticut researchers after every election.

That concludes my prepared testimony, I would be happy to take any questions.